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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/777,264

02/11/2004

Daisy Han

JCLA11985

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23900

7590

08/28/2006

J C PATENTS, INC.
4 VENTURE, SUITE 250
IRVINE, CA 92618

EXAMINER

MALLARI, PATRICIA C

ART UNIT

PAPER NUMBER

3735

DATE MAILED: 08/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/777,264	HAN, DAISY	
	Examiner	Art Unit	
	Patricia C. Mallari	3735	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 June 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This is final Office action. Any new grounds of rejection were necessitated by the applicants' amendments to the claims.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by US Patent No. 5,312,431 to McEwen. McEwen teaches a cuff comprising a strap unit 108 and a ring 100 attached to one end of the strap unit 108, wherein the direction of the ring is not perpendicular to an outstretch direction of the strap unit, as shown in figure 4, so as to define the strap unit with its upper side (the end of the strap not attached to the ring) wider than its lower side (the end of the strap attached to the ring). The strap 108 is adapted to pass through the ring (figure 4 of McEwen).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 4,901,732 to Williams in view of US Patent No. 1,857,567 to Plesch.

Williams teaches a cuff comprising a strap unit, with a ring unit 58, the strap unit having its upper side wider than its lower side, and the strap unit is adapted to pass through the ring (figs. 1-3 of Williams). Williams lacks the direction of the ring being not perpendicular to an outstretch direction of the strap unit.

However, Plesch teaches blood pressure cuff wherein the ring attached to one end of the strap unit and defining an end of the strap unit is not perpendicular to an outstretch direction of the strap unit so as to accommodate different shaped limbs (fig. 5; lines 87-99 of Plesch). Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to combine the ring and strap construction of Plesch with the cuff of Williams in order to additionally accommodate different shaped limbs.

Regarding claims 2 and 6, an air sac is disposed inside the strap, the air sac comprising an air inlet (figs. 1 & 2; col. 3, lines 5-19 of Williams).

Regarding claims 3 and 7, an air pump unit 28 connects to an air-pump opening, wherein air is delivered through the air inlet into the air sac (figs. 1 & 2; col. 3, lines 5-19 of Williams).

Regarding claims 4 and 8, a first adhering region s is disposed on a surface of the strap at one end further away from the ring g-l, k, r than a second adhering region f. The second adhering region f is disposed on the first surface of the strap adjacent the second adhering region s. Alternatively, the portions of the strap extending from portion f of the strap outward to portion s may also be considered the "first adhering region"

since the ring interacts with various any point along the strap to adhere or grasp the strap.

Regarding claim 5-8, the well known manometer 32 is a pressure sensing unit and blood pressure display unit, wherein typical manometers include a pressure gauge from which a user can discern a pressure level (fig. 1; col. 3, lines 5-10 of Williams).

Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Williams in view of Plesch, as applied to claims 1-8 above, and further in view of US Patent No. 5,626,142 to Marks. Williams, as modified, lacks details as to the manometer apparatus. Marks teaches an inflatable blood pressure cuff that works with a manometer 16, wherein the manometer is a mercury column (fig. 1; col. 4, lines 38-43 of Marks). Therefore, it would have been obvious to use the manometer of Marks as that of Williams, as modified, since Williams, as modified, teaches using a manometer, and Marks describes an appropriate such manometer.

Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Williams in view of Plesch, as applied to claims 1-8 above, and further in view of US Patent No. 4,429,699 to Hatschek. Williams, as modified, lacks details as to the manometer apparatus. Hatschek teaches an inflatable blood pressure cuff that works with a manometer, wherein the manometer comprises an electronic display unit 27 (figs. 1 & 2; col. 3, lines 1-8 of Hatschek). Therefore, it would have been obvious to use the

manometer of Hatschek as that of Williams, as modified, since Williams, as modified, teaches using a manometer, and Hatschek describes an appropriate such manometer.

Response to Arguments

Applicant's arguments with respect to claims 1-10 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patricia C. Mallari whose telephone number is (571)

272-4729. The examiner can normally be reached on Monday-Friday 10:00 am-6:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Marmor, II can be reached on (571) 272-4730. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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SPE. Art Unit 3735